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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,244	01/10/2006	Yves Liatard	4444-044	9078
23429 7590 08/22/2008 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER				
JOERGER, KAITLIN S				
ART UNIT		PAPER NUMBER		
3653				
MAIL DATE		DELIVERY MODE		
08/22/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/507,244

**Applicant(s)**

LIATARD ET AL.

**Examiner**

KAITLIN S. JOERGER

**Art Unit**

3653

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 9-11 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,177,547 to Kanemitsu et al.

Regarding claim 1, the '547 reference teaches a device for treating at least one surface of an object, the device having a first input for receiving objects from a loader, 22, for containing a plurality of such objects, a second input, distinct from the first input, for receiving objects supplied individually by a use of the device, see column 4, lines 11+, an operating chain including a succession of operating stations each being arranged for carrying out an action on a surface of said object, said operating chain having an input for receiving objects from the first and second inputs of the device, the first and second inputs of the device being situated on both sides of said operating chain, the device including a route for routing to the input of said operating chain an object introduced into the device through its second input, see column 4, lines 11+ and figures 2-4.

Regarding claims 3 and 9, the '547 reference teaches a programming arrangement for previously inhibiting or enabling the action that at least one operating station is capable of carrying out, see column 4, lines 11+.

Regarding claims 4, 10, and 11, the '547 reference teaches that the operating chain includes a drive for moving objects from its input to an output of said operating chain, said drive means being capable of being configured in a reverse working mode in which the drive can move the objects from the output to the input of the operating chain, and in that the second input of the device being disposed so it faces said output of the operating chain, the router including by said drive configured in a reverse working mode, see figures 2-4 and column 4, lines 11+.

Regarding claim 22, the '547 reference teaches that at least one of the operating stations includes a printer, 9, for applying a printed strip to the surface of said object.

Claims 1 and 8 are rejected under 35 U.S.C. 102(n) as being anticipated by U.S. Patent 4,682,768.

Regarding claim 1, the '768 reference teaches a device for treating at least one surface of an object, having a first input for receiving objects from a loader intended to contain a plurality of such objects, a second input, distinct from the first input, for receiving objects supplied individually by a use of the device and including at least one operating chain having an input intended to receive objects from the first and second inputs of the device, each operating chain including at least one operating station capable of carrying out an action on a surface of said object, said device characterized in that the first and second inputs of the device are situated either side of the operating chain, the device being provided with routing means for routing to the input of the operating chain an object introduced into the device through its second input, see column 1, lines 12+ and figures 1 and 4.

Regarding claim 8, the '768 reference teaches a loader provided with a first wall, the device also includes a spacing means to move in a first direction one of the objects contained in the loader which is closest to the first wall in order to move it away from said first wall in order to make, between the object and the first wall, a storage space for receiving an object, see figures 1 and 4.

***Claim Rejections - 35 USC § 103***

Claims 5 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,177,547 in view of U.S. Patent 7,182,330.

Regarding claim 5 and 12-14, the '547 reference does not teach a loader with a wall and an adjustable opening, but the '330 reference does teach this feature. The '330 reference teaches a treatment device with a loader, where the loader is 'provided with a first wall, 1144b, intended to prevent motion in a first direction of the objects contained in the loader, and with a second wall intended to prevent motion of said object in a second direction perpendicular to the first direction, the first and second walls having ends which are separated by an opening intended to be passed through by an object, at least part of said second wall of the loader is movable, the treatment device being provided with movement means for controlling a movement of said movable part of the second wall enabling an adjustment of the size of said opening, see figures 11a and 11b. It would have been obvious to one of ordinary skill in the art to combine the adjustable wall, as taught by the '330 reference with the treatment device and loader taught by the '547 reference to achieve the predictable result of making the size of the opening adjustable in order to prevent multiple sheet from being fed from the loader.

Claims 6, 7, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,177,547 in view of U.S. Patent 4,840,367.

Regarding claim 6, 16-17, the '547 reference does not teach a slider block as claimed in claim 6, but the '367 reference does. The '367 reference teaches a sheet loader with a first wall and a second wall forming an opening, the loader includes a slider block, 12, capable of moving along the second wall in the first direction under the effect of a force produced by an elastic element, the objects contained in the loader being intended to be disposed between said slider block and the first wall, the loader also including regulation means intended to keep substantially constant the force exerted on that one of the objects contained in the loader which is closest to the first wall, see figure 1. It would have been obvious to one of ordinary skill in the art to combine the slider block of the '367 reference with the loader and treatment device of the '547 reference to achieve the predictable result of pressing the objects against the feeding roller in order to improve the feeding reliability of the device.

Regarding claim 7, and 18-20, the '367 reference further teaches that the regulation means includes a spring connected to a first and second articulation between first and second rods, and third and fourth rods, ends of the first and second rods being connected by hinge joints and ends of thirds and fourth rods being connected by hinge joints, see figure 2.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,177,547 in view of DE 3704059.

Regarding claim 21, the '547 reference does not teach that at least one of the operating stations includes a magnetic strip encoder for applying a magnetic strip to the surface of said object, but the DE '059 reference does, see the abstract. It would have been obvious to include the magnetic strip encoder of the DE '059 reference as one of the operating stations of the '547 reference in order to achieve the predictable result of providing the device with the capability to print a magnetic strip on the surface of the object.

### ***Response to Arguments***

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The examiner applied new reference, U.S Patent 5,177,547 which does teach all the features of the claim 1, and therefore the claims remain rejected.

The examiner notes that the applicant did not respond to the 102(b) rejection of claims 1 and 8 under U.S. Patent 4,682,768, and therefore those claims also remain rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAITLIN S. JOERGER whose telephone number is (571)272-6938. The examiner can normally be reached on Monday - Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaitlin S Joerger/  
Examiner, Art Unit 3653

20 August 2008